

## Message

**From:** Palermo, Mark [palermo.mark@epa.gov]  
**Sent:** 8/10/2020 6:38:06 PM  
**To:** Kaul, Meetu [Kaul.Meetu@epa.gov]; Belser, Evan [Belser.Evan@epa.gov]; Tozzi, Lauren [Tozzi.Lauren@epa.gov]; Felix, Elfego [FELIX.ELFEGO@EPA.GOV]; Iddings Mattox, Brianna [IddingsMattox.Brianna@epa.gov]; Adair, Jocelyn [Adair.Jocelyn@epa.gov]; Alexander, David [Alexander.David@epa.gov]; Meisenbach, Caitlin [Meisenbach.Caitlin@epa.gov]; Schefski, Melissa (she/her/hers) [Schefski.Melissa@epa.gov]; Orehowsky, Gregory [Orehowsky.Gregory@epa.gov]; Gumbs, Jason [Gumbs.Jason@epa.gov]; Aguilar, Victor [aguilar.victor@epa.gov]; Kulschinsky, Edward [Kulschinsky.Edward@epa.gov]  
**Subject:** FW: Ag tuning data  
**Attachments:** FW: FYI; FW: FTC Data - Legislative/Talking Point Drop Sheet

Hi all: A follow-up from our Ag tuning meeting the week before last --- the Equipment Dealers Association has publicized the attachment materials, including the following (below). This group explicitly identifies tuning that increases injection pump fuel delivery as a defeat device.

"In April of 2019, the Equipment Dealers Association surveyed its members and the statistics surrounding illegal tampering are staggering..."

"While each responding dealers' percentage varied, some participating dealers reported that up to **50%** of the equipment brought into their dealership(s) for service had been modified or altered from manufacturer settings."

"Of the responding dealers (257) who *did* have modified equipment come into their dealership for service in the past 24 months, **45%** reported that the modifications included those which removed, impaired or disabled Federally-required emissions control equipment, such as the installation of engine tuning or chipping devices and other modifications that increase injection pump fuel delivery or disable Exhaust Gas Recirculation or Diesel Particulate Filters. EPA regulations state that if a dealer performs service on a tampered emission control system and does not return the system to its certified emissions configuration, the dealer may be liable for violating the Clean Air Act."

Mark

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**From:** Clark, Sarah <clark.sarah@epa.gov>  
**Sent:** Monday, August 03, 2020 12:18 PM  
**To:** Palermo, Mark <palermo.mark@epa.gov>  
**Cc:** Alexander, David <Alexander.David@epa.gov>; Gotto, Lisa <Gotto.Lisa@epa.gov>  
**Subject:** Ag tuning data

Hi Mark,

Following up on our earlier conversations- Lisa Gotto in Region 7 acquired some additional information regarding agricultural equipment tuning, provided by the Equipment Dealers Association (see attached).

Thanks,  
 Sarah